

IN THE DRAWINGS

Please replace Figure 3 with the amended version included herewith.

REMARKS

Claims 2-7 are pending in the application. Claim 7 was previously added. Claim 1 has been cancelled without prejudice or disclaimer. In the Office Action, the Examiner acknowledges only six claims, and does not address claim amendments made in a Preliminary Amendment dated June 25, 2003 that was submitted with the present application.

In a telephone conversation of January 4, 2005, the Examiner indicated that the Preliminary Amendment was received. The Examiner further indicated that the objections to claims 4-6 would be withdrawn and that a supplemental office action would be issued to address claims 4-6 as amended and claim 7 as previously added.

The Examiner objected to the drawings for failing to show every feature of the invention specified in the claims. Figure 3 is amended to include the evaluating unit described in the specification.

The specification is amended to include a reference number for the evaluating unit as shown in Figure 3.

Claims 4-6 are objected to under 37 CFR 1.75(c) as being in improper form due to multiple dependencies. As stated above, the Examiner indicated that the objection to claims 4-6 will be withdrawn and a supplemental office action will be issued to further treat claims 4-6 on the merits, in view of the Preliminary Amendment filed with this application on June 25, 2003.

Applicants note with appreciation that the Examiner has indicated that claim 3 would be allowable if rewritten in independent form. Applicants have rewritten claim 3 into independent claim form. Thus, claim 3 is now an allowable independent claim. Claims 2 and 4-6 have each been amended to depend from claim 3 and thus are also

allowable.

Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application No. 2002/0088278 to Ross, Jr., hereinafter "Ross". Claim 1 has been cancelled, hence this rejection is now moot and should be withdrawn.

Claim 2 is rejected under 35 USC 103(a) as being unpatentable over Ross. Applicants respectfully traverse this rejection.

Applicants have amended claim 2 to depend from allowable claim 3. Therefore, claim 2 is also allowable and the rejection thereof over Ross is also moot and should be withdrawn.

An indication of the allowability of all pending claims by issuance of a Notice of Allowability is earnestly solicited.

Respectfully submitted,

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Paul D. Greeley
Reg. No. 31,019
Attorney for Applicants
Ohlandt, Greeley, Ruggiero & Perle, LLP
One Landmark Square, 10th Floor
Stamford, CT 06901-2682
Tel: (203) 327-4500
Fax: (203) 327-6401